



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Third day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14988 of 2021

ANANDHAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION,
METTUPALAYAM,
COIMBATORE DISTRICT.
CR. NO. 1047/2021

[RESPONDENT]

For Petitioner : M/S.R.PRABUDOSS Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 448, 294(b), 427 and 506(ii) of IPC in Crime No.1047 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the lease holder of the banana field and he was threatened by the petitioner who is owner of the said property. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that he is no way connected with the offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner's mother is owner of the property, even after the expiry of lease period, the defacto complainant continued his cultivation of banana field, the same was questioned by the petitioner, a false case has been lodged against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that there was a dispute between the petitioner and the defacto complainant regarding lease, the present complaint has been filed. Hence, he



vehemently opposed for grant of anticipatory bail to these petitioner.

5. Considering the facts and circumstances and the submissions made by both counsel and there is no serious allegations made against the petitioner, this court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mettupalayam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand Only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

23/08/2021

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This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
METTUPALAYAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
COIMBATORE DISTRICT (FOR INFORMATION).

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
METTUPALAYAM POLICE STATION, METTUPALAYAM,
COIMBATORE DISTRICT.

+1 CC to M/S.R.PRABUDOSS Advocate on payment of necessary charges SR.NO. 8990

CRL OP.14988/2021

Date :23/08/2021

INBA 07/09/2021